

REMARKS

Claims 8, 11, and 12 are pending in the instant application.

Applicants note that the title of the instant application was amended in the Preliminary Amendment filed by Applicants on August 20, 2003. The title should now read "Reagents For Inducing Apoptosis." Applicants respectfully request that the amendment to the title be entered.

Consideration of the above identified application, in view of the following remarks, is respectfully requested.

Restriction Requirement

The Examiner has required a restriction of the pending claims to one of the following groups:

Group I. Claim 8, as drawn to a reagent for qualifying apoptosis comprising a protein of SEQ ID NO:1, a protein containing a sequence homologous to SEQ ID NO:1, or a protein containing amino acid residues 61-89 and 497-514 of SEQ ID NO:1; and

Group II. Claims 11 and 12, as drawn to a reagent for qualifying apoptosis comprising at least one monoclonal antibody to a protein of SEQ ID NO:1, a protein containing a sequence homologous to SEQ ID NO:1, or a protein containing amino acid residues 61-89 and 497-514 of SEQ ID NO:1.

In order to be fully responsive to the Requirement for Restriction, Applicants hereby provisionally elect to prosecute Group I, including claim 8, which is directed to reagents for qualifying apoptosis comprising a protein of SEQ ID NO:1, a protein containing a sequence homologous to SEQ ID NO:1, or a protein containing amino acid residues 61-89 and 497-514 of SEQ ID NO:1, *with traverse*. In particular, Applicants respectfully submit that the Restriction Requirement should be withdrawn and that all of the pending claims are examined in this application.

Reconsideration of the Restriction Requirement is respectfully requested. It is respectfully submitted that the invention of Group II (corresponding to claims 11-12) should be examined with elected Group I. The claims of Group II are drawn to reagents for qualifying apoptosis comprising at least one monoclonal antibody. The antibodies of claims 11 and 12 are specific for a protein of SEQ ID NO:1, a protein containing a sequence homologous to SEQ ID NO:1, or to a protein containing amino acid residues 61-89 and 497-514 of SEQ ID NO:1. Thus, the antibodies that are recited in claims 11-12 are ones that specifically recognize and bind to the proteins recited in claim 8. Thus, the pending claims are all linked by this single technical feature: the protein(s) recited in all of the claims. Examination together of the Group I and III claims in the instant application is therefore appropriate and would not present an undue burden on the Examiner. For these reasons, Applicants submit that the Restriction Requirement should be withdrawn and respectfully request that all of the pending claims be examined in this application.

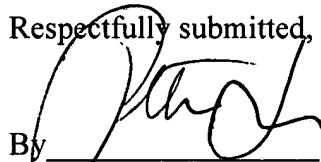
CONCLUSION

In view of the above remarks, it is respectfully requested that the application be considered on its merits and that all pending claims be allowed and the case passed to issue.

If there are any other issues remaining which the Examiner believes could be resolved through a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned at the telephone number indicated below.

Dated: October 11, 2005

Respectfully submitted,



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